

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ping Gao *et al.*) ATTORNEY DOCKET NO.: 6239.N
SERIAL NO.: 10/047,902) GROUP ART UNIT: 1653
FILED: January 14, 2002) EXAMINER: S.K. Snedden
TITLE: CHEMOTHERAPEUTIC MICRO-EMULSION COMPOSITIONS OF
PACLITAXEL WITH IMPROVED ORAL BIOAVAILABILITY
DATE: December 17, 2003

CERTIFICATE OF MAILING

I hereby certify that this communication and its recited enclosures are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on 17 December 2003.

Kenton N. Fedde

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION FOR EXTENSION OF TIME

Applicants hereby make petition for extension of time of one month for response to the Office communication dated 29 October 2003 in the above-referenced application. A shortened statutory period of one month was set in that Office Action. In connection with this petition, please charge \$110.00 or the sum required under 37 C.F.R. §1.17(a) to Deposit Account No. 19-1025.

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office communication date October 29, 2003, Applicants elect Group (claims 1-48 and 60-64) without traverse.

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Applicants elect to follow the procedure in *Guidance on Treatment of Product and Process Claims in light of In re Ochiai, In re Brouwer and 35 U.S.C. §103(b)*, 1184 OFF. GAZETTE 86 (1996) to permit rejoinder of method claims upon the allowance of a claim to the composition of matter.

Please note that Group I should include claims 60 and 61, both of which indirectly depend from claim 1, the sole composition claim.

The Applicants submit that the present invention is now in condition for allowance. Early notification of such action is courteously solicited.

If a telephonic interview would aid in the prosecution of this application, the Examiner is cordially invited to contact aAplicant's representative at the below listed number.

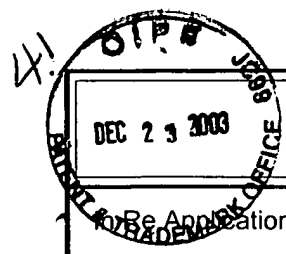
Respectfully submitted,



Kenton Fedde
Attorney for Applicants
Registration No. 54,701
Tele: 314-274-5402

Address correspondence to:
Pharmacia Corporation
Global Patent Department
P.O. Box 1027
St Louis, MO 63006

Enclosures
Fee Transmittal Form



163/3\$

TRANSMITTAL LETTER (General - Patent Pending)	Docket No. 6239.N
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For Re Application Of: Ping Gao et al.

Serial No. 10/047,902	Filing Date January 14, 2002	Examiner S. K. Snedde	Group Art Unit 1653
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Title: Chemotherapeutic Micro-Emulsion Compositions of Paclitaxel With Improved Oral Bioavailability

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TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Petition for Extension of Time (1 month); Response to Restriction Requirement; Fee Transmittal; Itemized Postcard.

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1025 as described below.
 - ☒ Charge the amount of \$110.00
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.

Signature

Dated: December 17, 2003

I certify that this document and fee is being deposited December 17, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
 Signature of Person Mailing Correspondence
Kenton N. Fedde Typed or Printed Name of Person Mailing Correspondence

cc:



FEE TRANSMITTAL for FY 2003 <i>Effective 01/01/2003. Patent fees are subject to annual revision.</i>		Complete if Known	
		Application Number	10/047,902
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	January 12, 2002
		First Named Inventor	Ping Gao et al.
		Examiner Name	S.K. Snedden
TOTAL AMOUNT OF PAYMENT (\$)		Group Art Unit	1653
		Attorney Docket No.	6239.N

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																													
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<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 19-1025 Deposit Account Name: Pharmacia Corporation		<table border="1"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1051 130</td><td>2051 65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1052 50</td><td>2052 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>1053 130</td><td>1053 130</td><td>Non - English specification</td><td></td></tr><tr><td>1812 2,520</td><td>1812 2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>1804 920*</td><td>1804 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805 1,840*</td><td>1805 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251 110</td><td>2251 55</td><td>Extension for reply within first month</td><td>110.00</td></tr><tr><td>1252 410</td><td>2252 205</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253 930</td><td>2253 465</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254 1,450</td><td>2254 725</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255 1,970</td><td>2255 985</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401 320</td><td>2401 160</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402 320</td><td>2402 160</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403 280</td><td>2403 140</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451 1,510</td><td>1451 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452 110</td><td>2452 55</td><td>Petition to revive - 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Kenton N. Fedde	Registration No. (Attorney/Agent)	54,701
Signature	<i>Kenton N. Fedde</i>	Telephone	314-274-6117
		Date	December 17, 2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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